



**DRAFT**

**STATE BOARD OF EQUALIZATION  
STAFF LEGISLATIVE BILL ANALYSIS**

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|-----------------|----------------------------------|----------------|---------------------------|
| Date Amended:   | <b>05/02/00</b>                  | Bill No:       | <b>SB 2175</b>            |
| Tax:            | <b>Special Taxes</b>             | Author:        | <b>Chesbro, et al.</b>    |
| Board Position: | <b>Board Sponsored – Support</b> | Related Bills: | <b>AB 2894 (AR&amp;T)</b> |

**BILL SUMMARY:**

This bill contains a Board of Equalization-sponsored proposal that would delete a typographical error in legislation added in 1999.

**ANALYSIS:**

Current Law:

Under existing law, Sections 45156.5, 50112.4 and 55046 provide the Board with the statutory authority to relieve interest in cases where the reason for the late payment of tax is due to an unreasonable error or delay caused by a Board employee.

Proposed Law:

This bill would correct a typographical error to clarify the Board's authority to relieve interest where the failure to pay tax is due to an unreasonable error or delay by the Board.

Comments

The Board of Equalization sponsored legislation in 1999 to strengthen and update the California Taxpayers' Bill of Rights. This legislation (Assembly Bill 1638, Assembly Revenue and Taxation Committee, Ch. 929, Stats. 1999) included provisions in the Special Taxes programs which authorized the Board to relieve interest where the failure to pay tax is due to an unreasonable error or delay by the Board.

For the most part, the language in the bill was identical to the language originally drafted by the Board. However, it appears that an "or" was mistakenly inserted in three separate sections of the bill which authorize the Board to relieve interest in cases where the reason for the late payment of tax is due to an unreasonable error or delay caused by a Board employee. The error was amended into Sections 45156.5, 50112.4 and 55046 of the Revenue and Taxation Code which affect the Integrated Waste Management Fee, Underground Storage Tank Fee, and Fee Collection Procedures Law, respectively. This additional word changes the intended meaning of the sections in which it appears. This bill would simply remove the stray language.

*This staff analysis is provided to address various administrative, cost, revenue and policy issues; it is not to be construed to reflect or suggest the Board's formal position.*

**COST ESTIMATE:**

Removing the stray language inadvertently inserted in three separate sections of the Revenue and Taxation Code would not result in additional administrative costs for the Board.

**REVENUE ESTIMATE:**

No revenue impact.

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